

DETAILED ACTION***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submissions filed on 23 December 2009 and 21 January 2010 has been entered. Claims 1-22, 24, 25, 27, 28, 39-41 are canceled. Claims 23, 26, 29-38, 42-45 remain pending in the instant application.

Information Disclosure Statement

2. The information disclosure statements (IDS) submitted on 23 December 2009 and 20 January 2010 have been considered by the examiner. The submission is in compliance with the provisions of 37 CFR 1.97. If the applicant is aware of any prior art or any other co-pending applications not already of record, he/she is reminded of his/her duty under 37 CFR 1.56 to disclose the same.

Allowable Subject Matter

3. Claims 23, 26, 29-38 and 42-45 are allowed.

4. The following is an examiner's statement of reasons for allowance: The prior art made of record does not singly or in combination suggest or teach at least the claimed limitation of "the spectroscopic image capturing mode" as recited at claim 1, lines 13-23. The prior art of record also does not singly or in combination teach or suggest at least the claimed limitation of "a moving capture mode... [which] controls a plurality of groups of the light-emitting devices to sequentially light-on group by group, each of the groups including a group of the light-emitting devices that belong to blue in the visible light range, a group of the light-emitting devices that belong to green in the visible light range, and a group of the light-emitting devices that belong to red in the visible light range..." as

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recited at claim 1, lines 24-41. At least for these reasons claims 23, 26, 29-38 and 42-45 are allowed.

Conclusion

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mia M. Thomas whose telephone number is (571)270-1583. The examiner can normally be reached on Monday-Thursday 8am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bhavesh M. Mehta can be reached on 571-272-7453. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Bhavesh M Mehta/
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/Mia M Thomas/
Examiner, Art Unit 2624